

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

MAGTEN ASSET MANAGEMENT  
CORPORATION and LAW DEBENTURE  
TRUST COMPANY OF NEW YORK,

Plaintiffs,

V.

C.A. No. 04-1494-(JJF)

NORTHWESTERN CORPORATION,

Defendant.

MAGTEN ASSET MANAGEMENT CORP.,

Plaintiff,

V.

C.A. Action No. 05-499 (JJF)

MICHAEL J. HANSON and ERNIE J. KINDT,

Defendants.

TO: Denise Seastone Kraft  
Edwards Angell Palmer & Dodge LLP  
919 North Market Street  
15<sup>th</sup> Floor  
Wilmington, DE 19801

Stanley T. Kaleczyc  
Kimberly A. Beatty  
Browning, Kaleczyc, Berry & Hoven, P.C.  
139 North Last Chance Gulch  
P.O. Box 1697  
Helena, Mt 59624

**NOTICE OF DEPOSITION**

PLEASE TAKE NOTICE that Plaintiff Magten Asset Management Corp. will take the deposition of Ernie J. Kindt commencing at 9:30 a.m. on April 23, 2007 and continuing until completed, at the offices of Blank Rome LLP, 1201 Market Street, Suite 800, Wilmington, Delaware 19801. The deposition will be taken before a notary public or other officer authorized by law to administer oaths, and may be recorded by stenographic and videographic means.

April 12, 2007

**BLANK ROME LLP**

/s/ Dale R. Dubé

Dale R. Dubé (DE No. 2863)  
Bonnie G. Fatell (DE No. 3809)  
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- and -

**FRIED, FRANK, HARRIS, SHRIVER &  
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Counsel for Magten Asset Management  
Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12<sup>th</sup> day of April, 2007, I served by hand delivery and electronic filing the NOTICE OF DEPOSITION using CM/ECF which will send notification of such filing(s) to the following:

**BY EMAIL AND HAND DELIVERY**

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Wilmington, DE 19801

I also certify that, on this 12<sup>th</sup> day of April, 2007, I served the aforementioned document, by e-mail and Federal Express, upon the following participants:

**BY EMAIL AND FEDERAL EXPRESS**

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Dale R. Dubé (No. 2863)